

# Exhibit A

**FILED: BRONX COUNTY CLERK 02/09/2021 03:25 PM**

INDEX NO. 801842/2021E

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 02/09/2021

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

DESMOND CHIN,

Plaintiff,

-against-

MARK MOULTON and CENTRAL TRANSPORT,  
LLC,

Defendants.

Index No.:

Date purchased:

Plaintiff Designates

Bronx

County as the place of trial

The basis of venue is

Accident Situs

**SUMMONS**

Plaintiff resides at

315 E 103 Street, Apt. 1A

New York, New York

To the above-named Defendants:

**YOU ARE HEREBY SUMMONED** to answer, or, if the complaint is not served with this summons, to serve notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: February 9, 2021

Defendants' addresses:

MARK MOULTON  
40 Old Bay Road  
New Durham, NH 03855

CENTRAL TRANSPORT, LLC  
1294 Maxwell Avenue  
Evansville, IN 47711

**GOIDEL & SIEGEL, LLP***Farimah Ghaffari*

By: Farimah S. Ghaffari, Esq.  
Attorney(s) for Plaintiff  
56 West 45<sup>th</sup> Street, Third Floor  
New York, New York 10036  
Tel No.: (212) 840-3737

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

-----X  
DESMOND CHIN,

Index No.:

Plaintiff,

-against-

**VERIFIED COMPLAINT**

MARK MOULTON and CENTRAL TRANSPORT, LLC,

Defendants.  
-----X

DESMOND CHIN, (hereinafter, "Plaintiff"), by his attorneys, GOIDEL & SIEGEL, LLP, as and for his Complaint against defendants MARK MOULTON and CENTRAL TRANSPORT, LLC ("Defendants"), hereby alleges, upon information and belief, as follows:

**THE PARTIES**

1. Plaintiff is a resident of the State of New York with a primary residence at 315 E 103<sup>rd</sup> Street, New York, New York.

2. At all times relevant hereto, defendant MARK MOULTON (hereinafter "MOULTON") was a resident of the State of New Hampshire with a primary residence at 40 Old Bay Road, New Durham, New Hampshire.

3. At all times relevant hereto, defendant CENTRAL TRANSPORT, LLC (hereinafter "CENTRAL TRANSPORT") was and still is a foreign corporation doing business in the State of New York.

4. During all relevant times hereto, defendant CENTRAL TRANSPORT maintained an office at 1294 Maxwell Avenue, Evansville, Indiana.

5. During all relevant times hereto, defendant CENTRAL TRANSPORT was and still is a business entity doing business in the State of New York.

6. During all relevant times hereto, defendant CENTRAL TRANSPORT was and still is a company doing business in the State of New York.

7. On May 5, 2020, Plaintiff was the operator of a motor vehicle bearing Georgia State license plate number "CMP7475" (hereinafter referred to as "Vehicle 1").

8. On May 5, 2020, defendant CENTRAL TRANSPORT was the owner of a motor vehicle bearing Indiana State license plate number "271095" (hereinafter referred to as "Vehicle 2").

9. On May 5, 2020, defendant MOULTON was the operator of Vehicle 2.

10. Upon information and belief, defendant MOULTON was operating Vehicle 2 with consent of the owner CENTRAL TRANSPORT, express or implied.

#### **FIRST CAUSE OF ACTION**

11. Plaintiff hereby repeats and restates each and every allegation contained in paragraphs 1 through 10 as if set forth in their entirety herein.

12. On May 5, 2020, Vehicle 1 and Vehicle 2 were operated at or near exit 9 of Major Deegan Expressway, North Ramp, in the Bronx, New York (the "Location").

13. During all times relevant hereto, the Location was and remains a public roadway.

14. On May 5, 2020, the aforesaid motor vehicles collided at the Location (the "Accident").

15. As a direct result of the Accident, Plaintiff sustained serious, permanent and lasting injuries.

16. The Accident and the injuries sustained by Plaintiff were caused solely by the negligence, carelessness, and recklessness of Defendants.

17. The Accident and the injuries sustained by Plaintiff were caused solely by the negligence, carelessness, and recklessness of Defendants in the operation, ownership, management, control, and maintenance of Vehicle 2.

18. Plaintiff is a covered person as defined by Section 5101, et seq. of the Insurance Law of the State of New York.

19. By reason of the foregoing, Plaintiff sustained serious personal injuries as defined in and contemplated by Section 5102, et seq. of the Insurance Law of the State of New York.

20. This action is exempt from the provisions and limitations of Article 16 of the New York CPLR concerning joint and several liability of tortfeasors.

21. As a result of the Accident caused by the negligence, carelessness and recklessness of Defendants as described above, with no contributory negligence on the part of Plaintiff, Plaintiff has suffered serious, permanent, and lasting injuries for which he is entitled to an amount of damages against the defendants in excess of the jurisdictional limit of all inferior trial courts of this State.

**WHEREFORE**, Plaintiff demands judgment against Defendants on the first cause of action for an amount of damages in excess of the jurisdictional limit of all inferior trial courts of this State, and for such other and further relief as this Court deems just and proper.

Dated: Great Neck, New York  
February 9, 2020

**GOIDEL & SIEGEL, LLP**  
*Farimah Ghaffari*

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Farimah S. Ghaffari, Esq.  
*Attorneys for Plaintiff*  
56 West 45<sup>th</sup> Street, 3<sup>rd</sup> Floor  
New York, New York 10036  
(212) 840-3737

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX-----X  
DESMOND CHIN,

Index No.:

Plaintiff,

-against-

**VERIFICATION**

MARK MOULTON and CENTRAL TRANSPORT, LLC,

Defendants.  
-----X

FARIMAH S. GHAFARI, ESQ., an attorney duly admitted to practice law in the courts of the State of New York, affirms the following under the penalties of perjury:

1. I am an associate of Goidel & Siegel, LLP, counsel for the Plaintiff, DESMOND CHIN ("Plaintiff") herein.
2. I have read the foregoing Complaint and know the contents thereof, and that the same is true to my knowledge except as to those matters that I believe it to be true.
3. The source of my information and the grounds of my belief as to all matters in the aforesaid Complaint are reports from physical file and from communication I had with Plaintiff.
4. The reason why this verification is made by me and not by Plaintiff is that Plaintiff resides in a county other than where my office is located.

Dated: Great Neck, New York  
February 9, 2021

*Farimah Ghaffari*\_\_\_\_\_  
FARIMAH S. GHAFARI, ESQ.